



## **DEPARTMENT OF JUSTICE**

**[OMB Number 1117-0007]**

### **Agency Information Collection Activities; Proposed eCollection, eComments Requested; Extension of a Previously Approved Collection; Registrant Record of Controlled Substances Destroyed**

**AGENCY:** Drug Enforcement Administration, Department of Justice.

**ACTION:** 60-day notice.

**SUMMARY:** The Drug Enforcement Administration (DEA), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Scott A Brinks, Regulatory Drafting and Policy Support Section, Drug Enforcement Administration; Mailing Address: 8701 Morrisette Drive, Springfield, Virginia 22152; Telephone: (571) 362-3261, Email: [scott.a.brinks@dea.gov](mailto:scott.a.brinks@dea.gov).

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Abstract: In accordance with the Controlled Substance Act (CSA), every DEA registrant must make a biennial inventory and maintain, on a current basis, a complete and accurate record of each controlled substance manufactured, received, sold, delivered, or otherwise disposed of. 21 U.S.C. 827 and 958. These records must be maintained separately from all other records of the registrant or, alternatively, in the case of non-narcotic controlled substances, be in such form that required information is readily retrievable from the ordinary business records of the registrant. 21 U.S.C 827(b)(2). The records must be kept and be available for at least two years for inspection and copying by officers or employees of the United States authorized by the Attorney General. 21 U.S.C. 827(b)(3). The records must be in accordance with and contain such relevant information as may be required by regulations promulgated by DEA. 21 U.S.C. 827(b)(1). These record requirements help to deter and detect diversion of controlled substances and ensure that registrants remain accountable for all controlled substances within their possession and/or control.

Overview of this information collection:

1. Type of Information Collection: Extension of a currently approved collection.
2. Title of the Form/Collection: Registrant Record of Controlled Substances Destroyed.

3. The agency form number, if any, and the applicable component of the Department sponsoring the collection: DEA Form 41. The applicable component within the Department of Justice is the Drug Enforcement Administration, Diversion Control Division.
4. Affected public who will be asked or required to respond, as well as the obligation to respond: Affected public (Primary): Private Sector—business or other for-profit. Other: Private Sector—businesses not-for-profit institutions; Federal, State, local, and tribal governments. The obligation to mandatory per 21 U.S.C. 827.
5. An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: DEA estimates that 92,832 persons respond as needed to this collection. Responses take 30 minutes for DEA Form 41.
6. An estimate of the total annual burden (in hours) associated with the collection: DEA estimates that this collection takes 46,416 annual burden hours.
7. An estimate of the total annual cost burden associated with the collection, if applicable: \$0.

Total Burden Hours					
Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)
DEA Form 41	92,832	1	92,832	30 min	46,416 hrs.
<b><i>Unduplicated Totals</i></b>	<b>92,832</b>	<b><i>N/A</i></b>	<b>92,832</b>	<b><i>30 mins</i></b>	<b><i>46,416 hrs.</i></b>

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street, NE, 4W-218, Washington, DC.

Dated: October 19, 2023.

**Darwin Arceo,**

*Department Clearance Officer for PRA,*

*U.S. Department of Justice.*

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